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## UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

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Aleisha C Jennings (049302015)

In Re:

Steven H Zimmerman,

Debtor,

Order Filed on April 26, 2022 by Clerk U.S. Bankruptcy Court

**District of New Jersey** 

Case No.: 18-31536-MBK

Chapter: 13

Hearing Date: April 13, 2022

Judge: Michael B. Kaplan

## ORDER RESOLVING SECURED CREDITOR'S CERTIFICATION OF DEFAULT

The relief set forth on the following pages, numbered two (2) through three (3), is hereby ORDERED.

**DATED: April 26, 2022** 

Honorable Michael B. Kaplan United States Bankruptcy Judge Secured Creditor: Nationstar Mortgage LLC d/b/a Mr. Cooper

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Robert C. Nisenson, Esq.

Property Involved ("Collateral"): 1 Academic Road, East Brunswick, NJ 08816

Relief sought: 

Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Certification(s) is (are) resolved, subject to the following conditions:

- 1. Status of post-petition arrearages:
  - The Debtor is overdue for 2 months from February 1, 2022 through March 1, 2022.
  - The Debtor is overdue for <u>2</u> payments from <u>February 1, 2022</u> through <u>March 1, 2022</u> at \$2,514.12 per month.

Funds Held In Suspense \$120.00.

Total Arrearages Due \$4,908.24.

- 2. Debtor must cure all post-petition arrearages, as follows:
  - Beginning on <u>April 1, 2022</u>, regular monthly mortgage payments shall be timely remitted to Creditor pursuant to any Notice of Payment Change filed on the docket.
  - The amount of \$4,908.24 shall be capitalized in the Debtor's Chapter 13 plan and paid to Secured Creditor by the Chapter 13 Trustee in addition to the amount set forth on Secured Creditor's timely filed Proof of Claim. Debtor must file an Amended Plan, and Schedules I and J within fifteen (15) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the plan in accordance with this order.
- 3. Payments to the Secured Creditor shall be made to the following address(es):

| ■ Regular monthly payment: | Nationstar Mortgage LLC |
|----------------------------|-------------------------|
|                            | Attn: Bankruptcy Dept   |
|                            | PO Box 619094           |
|                            | Dallas, TX 75261-9741   |

## 4. In the event of Default:

- Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment or Trustee payments should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.
- In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.
- This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.
- 5. Award of Attorneys' Fees:
  - The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.

The fees and costs are payable:

- Through the Chapter 13 plan.
- 6. In the event Secured creditor has not filed a timely Proof of Claim, Debtor consents to the filing and payment by the Chapter 13 Trustee of any late filed Proof of Claim, subject to the right of the Debtor to file an objection as to the amount.